

FREDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday, November 29, 2010

Those Present: Mr. James E. McClellan, Chairman
Mr. Robert C. Snyder, Board Member
Mr. Charles R. Cline, Board Member
Mrs. Linda B. Thall, Sr. Assistant County Attorney
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector
Mrs. Sandra Rees, Administrative Specialist IV
Mrs. Ashley Sklarew, Administrative Specialist IV

A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:30 am by Chairman McClellan.

1. **Franklin Liquors** – Mrs. Sklarew stated that there was a request from this establishment to allow them to make deliveries. The Board approved this request.
2. **Violation Guidelines** – Mrs. Thall distributed to the Board the proposed violation guidelines containing staff recommendations for each offense. The Board agreed to review these guidelines and discuss them at a future meeting.
3. **Violations** – Mr. Snyder asked that violation hearings be scheduled promptly. Mrs. Thall stated that several criminal prosecutions for Sales to Minors have now been resolved so that violation hearings can be scheduled.
4. **Dales Place hearing** – Mr. Cline stated that Kate Leckie had misquoted him regarding Dale's Place Violation Hearing. Mr. McClellan stated he was the one that made the statement.
5. **Franklin Liquors** – Mr. DeLauter, the Liquor Inspector, stated that this establishment was offering a free ice chest. After the Inspector spoke with them about needing the Board's approval, they decided not to go forward with this promotion.
6. **Orioles Nest** – Mrs. Thall stated that there was a complaint made by a citizen who lives in the general area of this club who stated that people constantly leave the club intoxicated. The citizen does not want to be identified. The Inspector will step up his monitoring and will notify the Police.

7. Decision Required: Transfer

TRANSFER FROM:

RE: Sang Ek, Amrith G. Long and
Long Bun Nou
for the use of Anita's International, Inc
t/a Anita's Liquor
1408 S. Main Street
Mt. Airy, MD 21771
Class A, Off Sale, Beer, Wine & Liquor
License and Sunday Permit

TRANSFER TO:

RE: James Follin & Sapphire Neang
for the use of H&N Eternity, LLC
t/a Anita's Liquor
1408 S. Main Street
Mt. Airy, MD 21771
Class A, Off Sale, Beer, Wine & Liquor
License, Sunday Permit & Delivery Permit

The Board held a hearing for a transfer of a license. Mrs. Thall swore in the applicants (See attached Sign In Sheet). Pending items are: Zoning approval, Fire Marshal and the Bulk Transfer Permit. The Liquor Inspector stated they are compliant. Mr. Follin stated that they will not go to settlement until January 2, 2011 and all pending items will be completed.

MOTION ONE: Mr. Snyder made a motion for a conditional approval until January 3, 2011.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Snyder – Aye
Mr. Cline – Aye
Mr. McClellan-Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

8. **Liberty Road Seafood** – The licensee met for a conference with the Board regarding a request to be open on Friday, Saturday and Sunday only for the months of December, January, February and possibly March.

MOTION ONE: Mr. Cline made a motion for an approval to be open three days a week.

SECOND: Mr. Snyder seconded the motion with an amendment to the motion that the approval would end on May 1, 2011.

FURTHER DISCUSSION

ON THE MOTION: The Board agreed that similar requests would be decided on a case-by-case basis. Factors that the Board would consider in the future, and did consider for this request, were the fact that the license's business was seasonal, the degree of financial hardship, and the location of the business. The Board used these factors to take into account the public's need for the use of this license during the months in question.

VOTE: Mr. Cline – Aye
Mr. Snyder – Aye
Mr. McClellan-Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

9. Decision Required: New

RE: Pornthip Muangsopha Shaiyl &
Robert Markus
for the use of Muangsopha, Inc
t/a My Thai
193 Thomas Johnson Drive
Unit E
Frederick, Maryland 21702
Class B, On Sale, Beer & Light Wine

The Board held a hearing for a new license. Mrs. Thall swore in the applicants (See attached Sign In Sheet). The pending items are: Occupancy Permit, Fire Marshal approval, Retail Sales Tax license. The licensee had a copy of the Retail Sales Tax license. The Inspector stated they were compliant. Mr. Sines stated that all

pending items were completed and that documentation would be submitted to the Board.

MOTION ONE: Mr. Cline made a motion for a conditional approval until January 3, 2011.

SECOND: Mr. Snyder seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Cline – Aye
Mr. Snyder – Aye
Mr. McClellan-Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

10. Decision Required: Approval of the Public Meeting Minutes for November 15, 2010.

The Public Meeting Minutes of November 15, 2010 were approved.

MOTION: Mr. Snyder made a motion to approve the minutes for November 15, 2010.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Snyder – Aye
Mr. Cline-Aye
Mr. McClellan-Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

ADJOURN

The meeting was adjourned at 9:52 am.

Respectfully submitted,

Kathy Vahle, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees